

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE NEW ORIENTAL EDUCATION &
TECHNOLOGY GROUP SECURITIES
LITIGATION

Case No. 12-cv-05724-JGK

ECF Case

JURY TRIAL DEMANDED

**JULIO TARDIO'S MOTION FOR RELIEF FROM THE COURT'S LEAD PLAINTIFF
ORDER PURSUANT TO FED. R. CIV. P. 60(b)(6)**

PLEASE TAKE NOTICE that on a date and time as may be set by this Court, before the Honorable John G. Koeltl, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, NY 10007, Plaintiff Julio Tardio ("Tardio") will respectfully move this Court: (1) for relief, pursuant to Fed. R. Civ. P. 60(b)(6), from the Court's October 25, 2012 Stipulation and Pretrial Order No. 1 (Dkt. No. 22); (2) to appoint Tardio as Co-Lead Plaintiff for the Class; (3) to approve Tardio's selection of Faruqi & Faruqi, LLP as Co-Lead Counsel for the Class; and (4) to grant leave to amend the Consolidated Amended Class Action Complaint (Dkt. No. 23) to include purchasers and/or sellers of EDU option contracts.

This motion is based on the accompanying Memorandum of Law in support thereof, the Declarations of Richard W. Gonnello and Francis P. McConville filed herewith, the pleadings and other filings herein, and such other written and oral argument as may be permitted by the Court.

Dated: March 8, 2013

Respectfully submitted,

FARUQI & FARUQI, LLP

By: /s/ Richard W. Gonnello
Richard W. Gonnello
Francis P. McConville
Steven Bentsianov

369 Lexington Avenue, 10th Floor
New York, NY 10017
Tel: (212) 983-9330
Fax: (212) 983-9331
E-mail: rgonnello@faruqilaw.com
fmconville@faruqilaw.com
sbentsianov@faruqilaw.com

Attorneys for Julio Tardio